

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 8:08-cr-441-T-17MAP

PHILIP WILLIAM COON

_____/

**MOTION BY ADDITIONAL COAST BANK BORROWERS TO BE RECOGNIZED AS
CRIME VICTIMS PURSUANT TO TITLE 18, UNITED STATES CODE, SECTION 3771**

Previously, 112 Coast Bank of Florida borrowers ("borrowers") moved this court for an order to be recognized as victims pursuant to the Crime Victims' Rights Act ("CVRA"), identifying them as victims in this case (dkt. #s 12, 18, and 19). This Court entered orders denying the borrowers' previously filed motions (dkt. #s 17, 20, and 31). On December 19, 2008, the Eleventh Circuit Court of Appeals entered an order directing this Court to recognize the borrowers as victims under the CVRA. (dkt. # 32). On December 22, 2008, this Court entered an amended order (dkt. # 34) in which it vacated its prior orders (dkt. #s 17, 20, and 31) and granted the borrowers' motions (dkt #s 12, 18 and 19). Two additional Coast Bank of Florida borrowers, Marvin G. Holler, Jr. ("Holler") and Michael J. Califano ("Califano"), also represented by the undersigned counsel, move for an order to be recognized as victims pursuant to the CVRA.

WHEREFORE, Holler and Califano move to be recognized as victims since they are similarly-situated to the other borrowers, and therefore request that this court enter an order recognizing them as victims under the CVRA.

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing on January 2, 2009, with the Clerk of Court using the CM/ECF system which will send a notice of electronic filing to Rachelle DesVaux Bedke, Assistant United States Attorney (rachelle.bedke@usdoj.gov); Peter J. Sholl, Assistant United States Attorney (peter.sholl@usdoj.gov); James E. Felman, Esq., (jfelman@kmf-law.com); Katherine Earles Yanes, Esq., (kyanes@kmf-law.com); Marcelino J. Huerta, III (huertalaw@lawyers.com); George R. Baise, Jr., (g.baisepa@verizon.net), and a true and correct copy of the foregoing was furnished by regular U.S. mail to David Tremmel, Federal Probation Officer, Post Office Box 3905, Tampa, FL 33601.

LEVIN TANNENBAUM

1680 Fruitville Road
Suite 102
Sarasota, Florida 34236
Telephone: (941) 308-3157
Facsimile: (941) 316-0301
atannenbaum@levintannenbaum.com
Attorneys for Borrowers

/s/ Alan E. Tannenbaum
Alan E. Tannenbaum, Esq.
Florida Bar No. 0259144